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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,658	10/24/2003	Jean-Francois Garin	71247-0014	6349

22902 7590 06/29/2006

CLARK & BRODY
1090 VERMONT AVENUE, NW
SUITE 250
WASHINGTON, DC 20005

EXAMINER

STRIMBU, GREGORY J

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Election/Restrictions

Applicant's election of Group I in the reply filed on October 28, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Accordingly, claims 3, 6 and 8 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on October 28, 2005.

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

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(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

Claims 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "a door" on line 2 of claim 10 render the claims indefinite because it is unclear if the applicant is referring to the door set forth above or is attempting to set forth another door in addition to the one set forth above. Recitations such as "moved towards the opening" on lines 11-12 of claim 10 render the claims indefinite because it is unclear how the façade of the man-machine interface can be moved towards the opening. As shown in figure 2, it appears that the man-machine interface is parallel to the opening at best. Recitations such as "the angle" on line of claim 9 render the claims indefinite because they lack antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 5, 7 and 11, as best understood by the examiner, are rejected under 35 U.S.C. 102(b) as being anticipated by Laby. Laby discloses a door for an automated machine, comprising a door chassis 12 delimiting an opening (not numbered, but shown in figure 1 delimited by the frame 12) and equipped with guide means 26, 48 for the movement of at least one mobile panel 31 between a closed position in which a façade of the mobile panel at least partly closes the opening and an open position in which the mobile panel is located laterally with respect to the opening wherein the mobile panel comprises: a reception structure 82 (shown in figure 7) and a man-machine interface 23 mounted to the reception structure, a façade of the man machine interface accessible when the mobile panel is in the closed position, and a means 101, 102, 104 for displacing the reception structure assuring that when the mobile panel is in the open position, the façade of the man-machine interface is positioned so that an operator in position in front of the opening can access the opening and the man-machine interface at the same time, the reception structure displacement means comprise means for sliding and pivoting the mobile panel 31 into a plane forming an angle with the plane delimited by the opening equal to between 40 degrees and 135 degrees, at least one support 127 (figure 9), a guide rail 48 for at least one roller device

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26, a first mobile panel 31 and a second mobile panel 31 hinged together and hinged to the chassis.

Claims 1, 9 and 10, as best understood by the examiner, is rejected under 35 U.S.C. 102(b) as being anticipated by Shin. Shin discloses an automated machine (not numbered, but shown in figure 1) having a door 300 (shown in figure 5), the improvement comprising the door 300 having a chassis 10 (shown in figure 8) delimiting an opening (not numbered, but shown in figure 8) and equipped with guide means 304, 330 for the movement of at least one mobile panel 301 between a closed position in which the facade of the mobile panel at least partly closes the opening and an open position in which the mobile panel is located laterally with respect to the opening wherein the mobile panel comprises: a reception structure (not numbered, but shown in figure 5 as the opening in which the man-machine interface 303 is disposed) and a man-machine interface 303 mounted to the reception structure, a façade of the man-machine interface accessible when the mobile panel is in the closed position and a reception structure displacement means (not numbered, but comprising the hinge mechanism between the panels 301 and 302) assuring that when the mobile panel is in the open position the façade of the man-machine interface is moved towards the opening so that an operator in position in front of the opening can access the opening and the man-machine interface at the same time. Since the reception structure includes a handle, the mobile panel includes a man-machine interface which comprises a control means for controlling the movement of the panels.

Response to Arguments

Applicant's arguments filed April 12, 2006 have been fully considered but they are not persuasive.

With respect to the applicant's comments concerning Laby, the examiner respectfully disagrees. The applicant's claimed invention is merely a door that is capable of being used with an "automated machine". Because Laby discloses a door that is clearly capable of being used with an "automated machine", the disclosure of Laby is related to the applicant's claimed invention. Additionally, Laby discloses a "man-machine" interface 23. Even though element 23 is a handle, handles have been commonly used as an interface between a person controlling a machine and the machine. For example, handles have been used to control valves of steam engines and have been used to control electric motors when used as a handle of a rheostat.

With respect to the applicant's comments concerning Shin, the examiner respectfully disagrees. Shin is related to the applicant's claimed invention because the applicant has only claimed a door that is capable of being used with an "automated machine". Clearly Shin discloses the applicant's claimed invention because Shin discloses a door that is used with an automated machine, i.e., the washing machine. It is not the examiner's contention that the opening is formed by the handle of the door, rather the examiner contends that the handle is disposed in an opening formed in the panel 301. The handle comprises the applicant's claimed "man-machine" interface since it provide a means for enable a person to interface with the washing machine, i.e., opening and closing the door 300. Additionally, the handle comprises a control means

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since it provides a means for controlling the operation of the door 300. Finally, one of ordinary skill in the art needs to have access to the man-machine interface 303 when the door 300 is open so that one of ordinary skill in the art can close the door.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal flourish extending to the right.

Gregory J. Strimbu
Primary Examiner
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June 26, 2006